

PTO/SB/64a (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL  
FILING (37 CFR 1.137(f))**

Docket Number (Optional)

60617.300901

First named inventor: TSAI et al.

Application No.: 10/007,719

Art Unit: 2874

Filed: 11/09/2001

Examiner: CONNELLEY, CUSHWA, M.

Title: WAVELENGTH DIVISION MULTIPLEXING AND DE-MULTIPLEXING SYSTEM

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

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NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
UNDER 37 CFR 1.137(b)

## 1. Petition fee

☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

## 2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is March 17, 2003.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

June 18, 2004

Date

Telephone

Number: (408) 558-9950



Signature

Raymond E. Roberts, Reg. No. 38,597

Typed or printed name

IPLO, 1901 S. Bascom Ave., Suite 660

Address

Campbell, CA 95008

Enclosures: ☒ Fee Payment☐ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

June 18, 2004

Date



Signature

Patricia Beilmann

Type or printed name of person signing certificate

[Page 2 of 2]

JUN 18 2004

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**FAX COVER LETTER****Date:** June 18, 2004**TO:**

**COMPANY:** U.S. Patent and Trademark Office  
**PHONE:**  
**FAX:** (703) 872-9306

**FROM:** Raymond E. Roberts**DIRECT DIAL:** (408) 558-7892**E-MAIL:** rroberts@IPLO.com

**RE:** **Serial No. 10/007,719; Applicant: Tsai et al.; Filed: November 9, 2001**  
Atty. Docket #60617.300901

**COMMENTS:** Please file the attached documents:

1. Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing;
2. Patent Issue Fee Transmittal.

This facsimile contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not the addressee or the person responsible for delivering it to the addressee you are hereby notified that reading disseminating distributing or copying this facsimile is strictly prohibited. If you have received this facsimile by mistake please immediately notify us by telephone and return the original message to us at the address above via the Postal Service (we will reimburse postage). Thank you.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: TSAI et al.  
Serial No.: 10/007,719  
Filing Date: November 9, 2001  
Group No.: 2874  
Title: "WAVELENGTH DIVISION MULTIPLEXING AND DE-MULTIPLEXING SYSTEM"

Attorney Docket #: 60617.300901  
Not. of Allow Date: March 29, 2004  
Examiner: Connelly Cushwa, Michelle R.  
Confirmation No.: 8874

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PATENT ISSUE FEE TRANSMITTAL (37 CFR 1.311)


Enclosed are the following:

- ☒ Fee (37 CFR 1.18(a))  
Application Status is:
    - ☐ large entity (\$1,330.00)
    - ☒ small entity (\$665.00);
  - ☒ Please charge Credit Card #4802 1323 2080 4753 in the amount of \$695.00 for the payment of an Issue Fee for a small entity (\$665.00 issue fee plus \$30 for 10 copies).
  - ☒ Part B- Issue Fee Transmittal; and
  - ☒ A postcard for return to us as proof of receipt of the referenced documents.
  - ☒ Please charge/credit deposit Account No. 08-3240 for any deficiency/overpayment.
- If the examiner has questions regarding this case, he/she is invited to telephone Applicant(s) undersigned attorney at (408) 558-9950.

Dated: June 18, 2004

Respectfully submitted

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By   
RAYMOND E. ROBERTS  
Reg. No. 38,597

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any attachments referred to as being enclosed) is being deposited with the United States Postal Service on June 18, 2004, with sufficient postage as first class mail in the envelope addressed to: MS Issue Fee, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: June 18, 2004

  
Patricia Beilmann